

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA )  
v. ) Cr. No. 2:05-CR-213-C  
JERRY WAYNE CULVER )

## MOTION FOR MENTAL COMPETENCY EXAMINATION

Comes now the United States of America, by and through Leura Garrett Canary, United States Attorney for the Middle District of Alabama, and respectfully requests this Court to enter an order directing the United States Marshal of this district to take the above-named defendant into custody and to remove him to the custody of the Warden of the Medical Center for Federal Prisoners, Springfield, Missouri, or such other federal institution as the Court deems appropriate, for the purpose of being observed and examined by one or more qualified psychiatrists, pursuant to Title 18, United States Code, Sections 4241, 4242 and 4247.

In support of its motion, the United States respectfully states as follows:

On or about January 23, 2006, the Defendant did file a Motion for Mental Health Evaluation and in support of his motion states that he has been diagnosed as a paranoid schizophrenic for more than twenty years; that his current prescribed psychiatric medication is not working; and that he is currently having self-injurious thoughts and is hearing voices.

Accordingly, the United States respectfully requests that a psychiatric or psychological examination of the defendant be conducted pursuant to Title 18, United States Code, Section 4241 and that a report be required pursuant to the provisions of Title 18, United States Code, Section 4247(b) and (c), the latter reports specifically to include a report as to whether the defendant is "suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense," and "as to whether the defendant was insane at the time of commission of the offense for which he is charged."

For the reasons set forth above, the United States respectfully requests this Court to enter an

order directing that the United States Marshal for the Middle District of Alabama take the defendant into custody and that the defendant be removed pursuant to Title 18, United States Code, Sections 4241, 4242, and 4247, for the purposes of being observed and examined.

Respectfully submitted this the 26<sup>th</sup> day of January, 2006.

LEURA GARRETT CANARY  
UNITED STATES ATTORNEY

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## CERTIFICATE OF SERVICE

I hereby certify that on January 26, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Donnie W. Bethel.

Respectfully submitted,

LEURA GARRETT CANARY  
UNITED STATES ATTORNEY

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